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# THE TEJON INDIAN TRIBE

## CONSTITUTION AND BYLAWS

As Amended May 26, 2006

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### CONSTITUTION

#### PREAMBLE

We, the members of the Tejon Indian Tribe, in order to exercise our tribal rights and promote our common welfare, do hereby establish this Constitution and Bylaws. This Constitution of May 26, 2006 supercedes all previous versions.

#### ARTICLE I - PURPOSE

The purpose of this Constitution and Bylaws is to memorialize the framework upon which the Tejon Indian Tribe will govern itself, and thereby protect and promote the interests of the Tribe and its members.

#### ARTICLE II - NAME

The official name of the Tribe shall be the "Tejon Indian Tribe."

#### ARTICLE III - TERRITORY

The jurisdiction of the Tejon Indian Tribe shall extend to all lands as may be hereafter acquired by or for the Tejon Indian Tribe.

#### ARTICLE IV - MEMBERSHIP

##### Section 1: Eligibility for Membership

The membership of the Tejon Indian Tribe includes individuals who meet the following criteria, provided that such individuals have not lost their membership under the terms of any tribal law:



- (a) The individual is able to trace lineal descendency from a Tejon Indian listed on the federal 1926 census of California Indians (known as the "California Roll"), *and* the individual's name appears on the official Tejon Tribal Membership Roll of May 28, 2006 (as corrected by any action under tribal law); or
- (b) The individual is the child of an enrolled member of the Tejon Tribe, *and* the individual can demonstrate that he/she is of at least three-sixteenths (3/16) degree Tejon Indian ancestry, provided that an application for enrollment must be filed with the Tejon Tribal Executive Committee to ensure enrollment; or
- (c) Any person officially adopted into the Tribe pursuant to valid tribal law.

## Section 2: Adoption and Termination of Members

The Tribal Executive Committee shall have the power to adopt rules governing the adoption of new members or the termination of existing members of the Tribe.

## ARTICLE V-- THE TRIBAL GENERAL COUNCIL

### Section 1: The Tribal General Council

- (a) The Tribal General Council shall be composed of all Qualified Tribal Members of the Tribe.
- (b) Qualified Tribal Members are all tribal members who are duly enrolled in the Tribe and who have a 3/16<sup>th</sup> Tejon blood quantum. All Qualified Tribal Members may participate in Tribal General Council Meetings.
- (c) All Qualified Tribal Members eighteen years of age and older shall be entitled to vote in Tribal elections and on matters presented to the Tribal General Council for its action.
- (d) A quorum of the Tribal General Council exists when 30 Qualified Tribal Members eligible to vote have registered in attendance at any given Tribal General Council meeting.
- (e) Except as otherwise provided herein, all actions taken at a meeting of the Tribal General Council shall require the affirmative vote of a majority of the Qualified Tribal Members who make up the quorum.
- (f) The Tribal General Council shall meet on the third Saturday of every month.
- (g) The Tribal General Council shall elect the membership of the Tribal Executive Committee (created pursuant to Article VI of this Article) at the Tribal General Council meeting associated with the Annual Tejon Indian Tribe Family Gathering and shall prescribe rules governing such elections.



**Section 2: Powers of the Tribal General Council Not Abridged**

Any rights, powers or other expressions of sovereignty inherently vested in the Tejon Tribe but not expressly addressed by a provision of this Constitution and Bylaws shall not be deemed to have been abridged by these documents, but rather are reserved to the Tribal General Council.

**ARTICLE VI -- THE TRIBAL EXECUTIVE COMMITTEE****Section 1: The Tribal Executive Committee**

- (a) The Tribal Executive Committee shall be composed of eight Qualified Tribal Members, as that term is defined in Section 1(b) of this Article.
- (b) The Tribal Executive Committee shall be elected by the Tribal General Council pursuant to Section 1(g) of Article V.
- (c) Each Tribal Executive Committee Member shall serve a two-year term.
- (d) Elections of Tribal Executive Committee Members will be staggered such that:
  - 1. Elections for the five Executive Committee Members whose terms end in odd-numbered years shall take place in odd-numbered years.
  - 2. Elections for the three other Executive Committee Members whose terms in end even-numbered years shall take place in even-numbered years.

**Section 2: Tribal Executive Committee Officers (Tribal Officers)**

- (a) The elected members of the Tribal Executive Committee shall appoint from among themselves which of them should as serve as Officers of the Executive Committee in the posts of Chairman, Vice-Chairman, Secretary and Treasurer (collectively, the Tribal Officers).
- (b) In order to be eligible to serve as a Tribal Officer, a Tribal Executive Committee member must first serve for a two-year term immediately prior to being appointed as a Tribal Officer.
- (c) The Tribal Executive Committee may, by majority vote, decide to combine the duties of Secretary and Treasurer such that those offices would be held by a single individual.
- (d) Appointments of Tribal Officers shall be for a one-year duration and shall be renewed or modified each year at the Tribal General Council Meeting associated with the Annual Tejon Indian Tribe Family Gathering.



- (e) At any meeting of the Tribal Executive Committee duly called, the presence of at least five Tribal Executive Committee members shall constitute a quorum. Actions of the Tribal Executive Committee shall require a majority vote of the quorum present. A tie vote may be broken by the decision of the Chairman.

### Section 3: Powers and Duties of the Tribal Executive Committee

The Tribal Executive Committee shall have the following powers, to be exercised in accordance with this Constitution and with applicable statutes of the United States:

- (a) To manage the property of the Tejon tribe, including tribal lands, restricted funds, all other resources, and to purchase or otherwise acquire lands or interest in lands within or without a reservation;
- (b) To engage in any business or other economic transaction that is intended to further the economic development of the Tribe and its members;
- (c) To promulgate and enforce ordinances governing the conduct of all persons and activities within lands over which the Tejon Indian Tribe exercises jurisdiction, to provide for the maintenance of law and order and the administration of justice, and to regulate domestic relations and inheritance and testamentary disposition of personal property and real property;
- (d) To prescribe rules governing the adoption of members into the Tribe and the loss of membership;
- (e) To employ counsel or consultants for the protection and advancement of the Tribe, and for such other purpose as may be deemed necessary;
- (f) To exercise any other power which may heretofore have been delegated or may hereafter be delegated to it by the Tribal General Council, or by any agency of local, state or federal government.
- (g) To represent the Tejon Indian Tribe in negotiations with federal, state and local governments, and with private corporations, associations, and individuals.
- (h) To promote and protect the health, education and general welfare of the members of the Tribe, and to administer welfare aid and such other services as may contribute to the social and economic advancement of the Tribe and its members.
- (i) To administer unrestricted tribal funds.



## ARTICLE VII --

REMOVAL FROM THE TRIBAL EXECUTIVE COMMITTEE AND  
DISQUALIFICATION

## Section 1: Automatic Exclusion: Conviction of Criminal Offense

Any Tribal Executive Committee Member or Officer automatically shall forfeit his or her position on the Tribal Executive Committee (and if that person holds a Tribal Office will also forfeit that Office) if convicted during his or her term in office by any court of competent jurisdiction of any criminal offense, other than a minor traffic, hunting or fishing violation, for which he or she is sentenced to imprisonment or payment of a fine in lieu thereof.

## Section 2: Discretionary Expulsion: Absence, Neglect, Gross Misconduct

- (a) The Tribal Executive Committee may by majority vote, expel any member of the Tribal Executive Committee found to have (a) absented him- or herself from three successive Tribal Executive Committee meetings without a reason acceptable to the Tribal Executive Committee; (b) otherwise neglected his or her duty as determined by the Executive Committee; or (c) engaged in gross misconduct as determined by the Executive Committee. The Executive Committee shall formulate and adopt a set of written rules defining "neglect of duty" and "gross misconduct."
- (b) Before any vote for expulsion is taken, the Tribal Executive Committee member shall be given a written statement of the charges against him at least ten days before the meeting of the Tribal Executive Committee at which he or she must appear. He or she shall be given a reasonable opportunity to answer charges at the designated Tribal Executive Committee meeting. Failure of the accused to appear at the scheduled time shall be deemed a waiver of his right to a hearing, unless a satisfactory excuse for such failure to appear is furnished within a reasonable time thereafter. The decision of the Tribal Executive Committee shall be final.

## Section 3: Previous Convictions

- (a) No person who has been convicted of a felony by a court of competent jurisdiction may serve as a member of the Tribal Executive Committee until ten years following his or her release from confinement.
- (b) No person who has been convicted by a court of competent jurisdiction of a criminal offense other than a felony or a minor traffic, hunting or fishing violation for which he was sentenced to imprisonment or payment of a fine in lieu thereof may serve as a member of the Tribal Executive Committee until three years following his conviction.
- (c) No person who has been removed from the Tribal Executive Committee under Section 2 of this Article may serve on it again until three years following his or her removal.



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#### **Section 4: Filling Vacant Tribal Executive Committee Positions**

The Tribal Executive Committee Members shall determine how to fill a vacancy created by the expulsion of a Tribal Executive Committee member under Sections 1 or 2 of this Article, whether by calling a special election, by making an appointment, or by leaving the vacancy open until the next regularly scheduled election.

### **ARTICLE VIII -- AMENDMENTS**

#### **Section 1: Amendments**

This Constitution and Bylaws may be amended by an affirmative vote of a majority of a quorum at a meeting of the Tribal General Council. Through adoption of a resolution setting forth the proposed amendment, the Executive Committee may call a special meeting of the Tribal General Council for this purpose.

#### **Section 2: Notice of Proposed Amendments**

The Executive Committee must give the Tribal General Council at least thirty (30) days notice before calling upon it to vote upon a proposed amendment to the Constitution and Bylaws, and that notice must include the text of the proposed amendment(s).

## **BYLAWS**

### **Article I. Duties of the Tribal Officers of the Tribal Executive Committee**

- Section 1.** The Chairman, as chief executive officer of the Tribal Executive Committee, shall preside over all its meetings, affix his or her signature to official documents, and countersign warrants duly drawn by the Treasurer against tribal funds.
- Section 2.** The Vice-Chairman of the Tribal Executive Committee shall preside at meetings and otherwise exercise the duties of the Chairman in the absence of the Chairman.
- Section 3.** The Secretary shall take and appropriately publish minutes of meetings and record all actions of the Tribal General Council and the Tribal Executive Committee, issue public notices, and affix his or her signature to official documents.



- Section 4.** The Treasurer shall accept, record receipt for, and safeguard all funds of the Tribe under his or her custody as directed by the Tribal Executive Committee, and keep a complete record of receipts and expenditures. He or she shall not disburse any funds of the Tribe except as duly authorized by the Tribal Executive Committee, and he or she shall report on his or her accounting and all financial transactions at meetings of the Tribal General Council and the Tribal Executive Committee.
- Section 5.** The duties and compensation of the Tribal Executive Committee (including Tribal Officers) and all appointive committees shall be defined by resolution of the Tribal Executive Committee consistent with this Constitution and Bylaws.

## Article II - Meetings

- Section 1.** The Tribal Executive Committee shall meet monthly in regular session, on the third Saturday of each month, unless the Chairman determines that special circumstances exist warranting the rescheduling of the regular meeting, for example if the regularly scheduled meeting date falls upon a legal holiday. Meetings shall be at the tribal office, unless the Chairman designates an alternative and gives due notice thereof to members of the Tribal Executive Committee.
- Section 2.** Special meetings of the Tribal General Council may be called by the Chairman or upon written request of at least five members of the Tribal General Council.
- Section 3.** The Tribal General Council may, by a vote of majority of the Qualified Tribal Members present, exclude all non-members from any meeting, if that is deemed necessary to the interests of the Tribe.
- Section 4.** All meetings of the Tejon Indian Tribe shall be governed by Robert's Rules of Order.

Certificate of Adoption Follows on Next Page



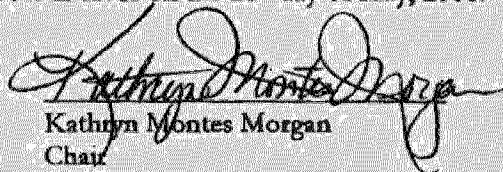
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### CERTIFICATE OF ADOPTION

I hereby certify that the foregoing Constitution and Bylaws was considered by the Tribal General Council of the Tejon Indian Tribe at a duly called meeting in Bakersfield, California, at which a quorum was present, and was adopted by unanimous vote in favor on the 26<sup>th</sup> day of May, 2006.

  
Kathryn Montes Morgan  
Chair

ATTEST:

  
Gloria Ann Morgan  
Secretary-Treasurer